THE HON'BLE SMT. JUSTICE T.MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE K.C.BHANU

TAKEN UP WRIT PETITION No. 21463 of 2005

Date: 18.10.2005

Between:

Kalavath Singh, r/o. Rajapur, Punjab state

…Petitioner

and

1)The Regional Transport Officer, Madanapalle,

Chittor district & 4 others

…Respondents

ORDER:

(per the Hon'ble Smt. Justice T.Meena Kumari)

The telegram dated 19.09.2005 issued by one Kalavath Singh was taken up as the present Writ Petition. The contents of the telegram goes to show that the petitioner is the resident of Rajapur of Punjab state and owner of vehicle bearing no. PV13-K9145; on 15.09.2005, he was proceeding from Ranipet to Jallandar with a load of animal skin in his vehicle; at about 9.30 AM, the first respondent along with his staff came to his vehicle and demanded amount; when he refused to pay the amount, he and his staff high-handedly broke open the box and snatched away a sum of Rs.56,000/- and the vehicle records; though he requested him to impose penalty if any excess tonnage is carried, he did not return them.

The first respondent filed counter affidavit admitting seizure of the vehicle near petrol pump, Molakalacheruvu suspecting that it was carrying overload , however, denying seizure of cash of Rs.56,000/-. It is also stated that on verification of bills, the vehicle was found with excess load of 17,560 kgs and so, the Motor Vehicles Inspector prepared a check report and directed the driver to pay compounding fee of Rs.17,600/-. It is also stated that one Kulwant Singh, s/o. Amta Singh, resident of Rajpur TE.H, Bhovaighar, Sangrur district, Punjab, who is registered owner of the vehicle, appeared before the Deputy Transport Commissioner, Chittor on 07.10.2005 and paid the compounding fee of Rs.19,000/- and also tax of Rs.5,470/- and took delivery of the records along with V.C.R.

In view of the aforesaid submissions, no interference is needed in this matter. The Writ Petition is, accordingly, dismissed. No costs.

(SMT. T.MEENA KUMARI, J.)

(K.C.BHANU, J.)

18.10.2005

DRK